



Elder and Long Term Care Committee

**Wednesday, March 8, 2006
10:00 AM – 12:00 PM
Reed Hall (102 HOB)**

Action Packet

COMMITTEE MEETING REPORT

Elder & Long-Term Care Committee

3/8/2006 10:00:00AM

Location: Reed Hall (102 HOB)

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Hugh Gibson (Chair)	X		
Thomas Anderson	X		
Edward Bullard	X		
Donna Clarke	X		
Frank Farkas	X		
John Legg	X		
Carlos Lopez-Cantera	X		
Richard Machek	X		
Franklin Sands	X		
Totals:	9	0	0

Committee meeting was reported out: Wednesday, March 08, 2006 12:40:23PM

COMMITTEE MEETING REPORT

Elder & Long-Term Care Committee

3/8/2006 10:00:00AM

Location: Reed Hall (102 HOB)

HB 49 : Caregivers for Adults

☒ Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Edward Bullard	X				
Donna Clarke	X				
Frank Farkas				X	
John Legg	X				
Carlos Lopez-Cantera	X				
Richard Machek	X				
Franklin Sands	X				
Hugh Gibson (Chair)	X				
Total Yeas: 8		Total Nays: 0			

Appearances:

Caregivers for Adults

Douglas Adkins, Executive Director - Proponent

Florida Coalition for Assisted Living & Mental Health

P.O. Box 1080

Hilliard Florida

Phone: 904-583-0134

Committee meeting was reported out: Wednesday, March 08, 2006 12:40:23PM

COMMITTEE MEETING REPORT

Elder & Long-Term Care Committee

3/8/2006 10:00:00AM

Location: Reed Hall (102 HOB)

HB 243 : Hearing Aid Specialists

☒ Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Thomas Anderson	X				
Edward Bullard	X				
Donna Clarke				X	
Frank Farkas				X	
John Legg	X				
Carlos Lopez-Cantera	X				
Richard Machek	X				
Franklin Sands	X				
Hugh Gibson (Chair)	X				
Total Yeas: 7 Total Nays: 0					

Appearances:

Hearing Aid Specialists

Steve Winn (Lobbyist) - Proponent

FL Society of Hearing Healthcare Professionals

P. O. Box 1675

Tallahassee Florida 32302

Phone: 850-878-3056

Committee meeting was reported out: Wednesday, March 08, 2006 12:40:23PM

COMMITTEE MEETING REPORT

Elder & Long-Term Care Committee

3/8/2006 10:00:00AM

Location: Reed Hall (102 HOB)

HB 947 : Long-Term Care Coverage

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thomas Anderson	X				
Edward Bullard			X		
Donna Clarke	X				
Frank Farkas				X	
John Legg	X				
Carlos Lopez-Cantera	X				
Richard Machek	X				
Franklin Sands	X				
Hugh Gibson (Chair)	X				
Total Yeas: 7 Total Nays: 0					

Appearances:

Long Term Care Coverage

Abigail London, Director of Governmental Affairs (Lobbyist) (State Employee) - Proponent

Office of Insurance Regulation

200 E. Gaines St.

Tallahassee Florida 32399

Phone: 850-413-5042

Long Term Care Coverage

Peggy Rigsby, Director of Government Services (Lobbyist) - Proponent

Florida Health Care Association (FHCA)

307

Tallahassee Florida 32301

Phone: 850-224-3907

Long Term Care Coverage

Tim Meenan (Lobbyist) - Proponent

FL Association of Insurance & Financial Advisors

204 S. Monroe Street

Tallahassee Florida 32301

Phone: 850-681-6710

Committee meeting was reported out: Wednesday, March 08, 2006 12:40:23PM

COMMITTEE MEETING REPORT

Elder & Long-Term Care Committee

3/8/2006 10:00:00AM

Location: Reed Hall (102 HOB)

HB 1067 : State Long-Term Care Ombudsman Program

☒ *Favorable With Committee Substitute*

	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thomas Anderson	X				
Edward Bullard			X		
Donna Clarke	X				
Frank Farkas				X	
John Legg	X				
Carlos Lopez-Cantera	X				
Richard Machek	X				
Franklin Sands	X				
Hugh Gibson (Chair)	X				
Total Yeas: 7 Total Nays: 0					

Appearances:

State Long-term Care Ombudsman Program

Brian Lee, State Ombudsman (State Employee) - Proponent

Department of Elder Affairs

4040 Esplanade Way

Tallahassee Florida 32399

Phone: 850-414-2000

Committee meeting was reported out: Wednesday, March 08, 2006 12:40:23PM

COMMITTEE MEETING REPORT

Elder & Long-Term Care Committee

3/8/2006 10:00:00AM

Location: Reed Hall (102 HOB)

HB 7027 : Review under the Open Government Sunset Review Act regarding Long-term Care Facilities

<input checked="" type="checkbox"/> Favorable					
	<i>Yea</i>	<i>Nay</i>	<i>No Vote</i>	<i>Absentee Yea</i>	<i>Absentee Nay</i>
Thomas Anderson	X				
Edward Bullard	X				
Donna Clarke				X	
Frank Farkas				X	
John Legg	X				
Carlos Lopez-Cantera	X				
Richard Machek	X				
Franklin Sands	X				
Hugh Gibson (Chair)	X				
Total Yeas: 7		Total Nays: 0			

Committee meeting was reported out: Wednesday, March 08, 2006 12:40:23PM

COMMITTEE MEETING REPORT
Elder & Long-Term Care Committee
3/8/2006 10:00:00AM

Location: Reed Hall (102 HOB)

Other Business Appearance:

Attorney General's Presentation

LuMarie Polivka-West, Sr. Director (Lobbyist) - Information Only
Florida Health Care Association (FHCA)
307 W. Park Avenue
Tallahassee Florida 32301
Phone: 850-224-3907

Attorney General's Presentation

Spencer D. Levine, Director of Medicaid Fraud Control Unit - Proponent
Office of Attorney General
Capitol
Tallahassee Florida 32399

OPPAGA Presentation

Mary Alice Nye, Sr. Legislative Analyst (State Employee) - Information Only
Office of Program Policy Analysis & Government Accountability
111 W. Madison Street
Tallahassee Florida 32399
Phone: 850-487-9253

OPPAGA Presentation

Jack Cory (Lobbyist) (State Employee) - Proponent
American Eldercare, Inc.
110 E. College Avenue
Tallahassee Florida 32301
Phone: 850-893-0995

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COMMITTEE MEETING REPORT
Elder & Long-Term Care Committee
3/8/2006 10:00:00AM

Location: Reed Hall (102 HOB)

Summary:

Elder & Long-Term Care Committee

Wednesday March 08, 2006 10:00 am

HB 49	Favorable With Committee Substitute	Yeas: 8 Nays: 0
HB 243	Favorable	Yeas: 7 Nays: 0
HB 947	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 1067	Favorable With Committee Substitute	Yeas: 7 Nays: 0
HB 7027	Favorable	Yeas: 7 Nays: 0

Committee meeting was reported out: Wednesday, March 08, 2006 12:40:23PM

COMMITTEE ATTENDANCE ROLL CALL

The Committee on Elder and Long Term Care

met at 10:00

o'clock on 3 | 8 | 06

with the following attendance:

[illegible]

Rep. Hugh Gibson, III
Chair

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. **HB 49**

COUNCIL/COMMITTEE ACTION

ADOPTED	<input type="checkbox"/> (Y/N)
ADOPTED AS AMENDED	<input checked="" type="checkbox"/> (Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/> (Y/N)
FAILED TO ADOPT	<input type="checkbox"/> (Y/N)
WITHDRAWN	<input type="checkbox"/> (Y/N)
OTHER	<input type="checkbox"/>

Council/Committee hearing bill: Elder & Long Term Care
Representative(s) Meadows offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Legislative intent; contract with corporation;
purposes and duties, reports.--

(1) It is the intent of the Legislature to foster the
development of caregiving for frail elders and disabled adults
as a nonlicensed paraprofessional activity that is critical to
the provision of community-based and institutional care for
frail elders and disabled adults who live in the community or in
an assisted living facility licensed under part III of chapter
400, Florida Statutes, or an adult family-care home licensed
under part VII of chapter 400, Florida Statutes, or who attend
an adult day care center licensed under part V of chapter 400,
Florida Statutes. It is the further intent of the Legislature to
promote the use of nationally recognized best practices
information by caregivers so as to improve the quality of care
in the community and in long-term care facilities licensed by
the state and to ensure some degree of uniformity of techniques,

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 947

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Elder & Long-Term Care
Committee

Representative(s) Legg offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

Section 1. Section 409.9102, Florida Statutes, as created
by chapter 2005-252, Laws of Florida, is reenacted and amended
to read:

(Substantial rewording of section. See s.

409.9102, F.S., for present text.)

409.9102 Florida Long-Term Care Partnership Program.--The
Agency for Health Care Administration, in consultation with the
Office of Insurance Regulation and the Department of Children
and Family Services, is directed to establish the Florida Long-
Term Care Partnership Program, in compliance with the
requirements of s. 1917(b) of the Social Security Act, as
amended.

(1) The program shall:

(a) Provide incentives for an individual to obtain or
maintain insurance to cover the cost of long-term care.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1 (for drafter's use only)

Bill No. 1067

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Elder & Long-Term Care
Committee

Representative(s) Grimsley offered the following:

Amendment

Remove line(s) 116 - 117 and insert:

(7)~~(5)~~ "Resident" means an individual 60 years of age or
older who resides in a long-term care facility.

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 2 (for drafter's use only)

Bill No. 1067

COUNCIL/COMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	<input checked="" type="checkbox"/>	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Council/Committee hearing bill: Elder & Long-Term Care
2 Committee

3 Representative(s) Grimsley offered the following:

4
5 **Amendment**

6 Remove line(s) 201 - 202 and insert:

7 4. Serving as legal counsel to the state and local
8 ~~ombudsman~~

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 3 (for drafter's use only)

Bill No. 1067

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Elder & Long-Term Care
Committee

Representative(s) Grimsley offered the following:

Amendment (with title amendments)

Remove line(s) 442 - 443 and insert:

3. A local council may recommend removal of its elected

===== T I T L E A M E N D M E N T =====

Remove line(s) 20 - 21 and insert:

state council; providing conditions for

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HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 4 (for drafter's use only)

Bill No. **HB 1067**

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

1 Council/Committee hearing bill: Elder & Long Term Care Committee
2 Representative(s) Grimsley offered the following:

4 **Amendment (with directory and title amendments)**

5 Remove line(s) 976 - 984 and insert:

6 (c) Medical and social records of the resident as
7 necessary to investigate or resolve a complaint if:

8 1. A legal representative ~~guardian~~ of the resident refuses
9 to give permission;-

10 2. The office has reasonable cause to believe that the
11 representative ~~guardian~~ is not acting in the best interests of
12 the resident; and-

13 3. The state or local council member ~~representative~~
14 obtains the approval of the ombudsman.

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